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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/434,654	11/05/1999	KEVIN J RYAN	303.306US4	4209

7590 01/05/2004

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EXAMINER
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PEIKARI, BEHZAD

ART UNIT	PAPER NUMBER
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2186

DATE MAILED: 01/05/2004

25

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/434,654

Applicant(s)

RYAN, KEVIN J

Examiner

B. James Peikari

Art Unit

2186

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 December 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-4 and 32-60.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_



B. James Peikari  
Primary Examiner  
Art Unit: 2186

Continuation of 5. does NOT place the application in condition for allowance because: Briefly, (a) with regard to the first point on page 13 this is moot since claim 1 was cancelled, it is further noted that in circuit diagrams a line with one arrow is unidirectional and a line with arrows on both ends is bidirectional, with this in mind, applicant will note that the buses cited in the rejection explicitly teach the claimed buses; (b) with regard to the second point on page 13, just as the memory modules are duplicated, so are the associated registers ... has applicant assumed that the plural modules of the cited combination would share a single register??, (c) with regard to the third point on page 13 and the discussion of the St. Regis case law on page 14, applicant appears to consider the reduction of load a novel and unexpected feature, however this is a very well known feature of parallel memory hierarchies. In fact, that is exactly what applicant is claiming -- a parallel memory hierarchy. Such systems combined the benefits of parallel storage (reduced load and access to plural devices) with the benefits of memory hierarchies (faster retrieval of data). There is nothing new about this.

As for the claimed connections of devices in claim 34, discussed on page 15 and for the similar claims, each of these elements was specifically taught having the same connectivity as the claims, element by element, in the rejection. Consequently applicant's arguments are not understood.

Also, as for the use of packets and a corresponding packet protocol -- packets were simply units of data to be transferred. Any data processing system had an established protocol for transferring data. In any case, the transfer of packets in and out of DRAMs was explicitly mentioned by Katayama et al., note column 2, lines 37-43.